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18 **Pro hac vice application forthcoming*

19 *Attorneys for Defendant*
20 *MGM Resorts International*

21 **UNITED STATES DISTRICT COURT**
22 **DISTRICT OF NEVADA**

23 DAVID LACKEY, individually and on behalf
24 of all others similarly situated,

25 Plaintiff,

26 v.

27 MGM RESORTS INTERNATIONAL,

28 Defendant.

Case No. 2:23-cv-1549-RFB-NJK

**STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT
(THIRD REQUEST)**

Pursuant to LR IA 6-1, Plaintiff David Lackey and Defendant MGM Resorts International (“MGM”) (collectively, the “Parties”) respectfully stipulate MGM’s time to respond to the Complaint be extended from the current deadline of January 11, 2024 to and including March 11, 2024. This is the third stipulation for an extension of time to file MGM’s responsive pleading. The court previously granted an extension on December 12, 2023. ECF No. 26.

Good cause exists to enlarge the time for MGM to respond to the Complaint. There are currently twelve other related actions filed against MGM pending in the District of Nevada (the “Related Actions”). *See Kirwan v. MGM Resorts Int’l*, No. 2:23-cv-01481; *Zussman v. VICI Properties I LLC, et al.*, No. 2:23-cv-01537; *Terezo v. MGM Resorts Int’l*, No. 2:23-cv-01577; *Pircio v. MGM Resorts Int’l*, No. 2:23-cv-01550; *Owens v. MGM Resorts Int’l*, No. 2:23-cv-01480; *Rundell v. MGM Resorts Int’l*, No. 2:23-cv-01698; *Bezack v. MGM Resorts Int’l*, No. 2:23-cv-01719; *Albrigo v. MGM Resorts Int’l*, No. 2:23-cv-1981; *Zari v. MGM Resorts Int’l*, No. 2:23-cv-01777; *Manson v. MGM Resorts Int’l*, No. 2:23-cv-01826; *Sloan v. Vici Properties Inc., et al.*, No. 2:23-cv-02042; *Righetti v. MGM Resorts Int’l*.

On December 6 and December 20, 2023, plaintiffs’ counsel in six consolidated putative class actions brought against MGM by individuals who allege their PII was compromised as a result of a cybersecurity incident involving MGM in 2019 (the “2019 Actions”) filed Notices of Related Cases Pursuant to District of Nevada Local Rule 42.1, notifying the Court that the Related Actions are related to the 2019 Actions. *In re: MGM Resorts Int’l Data Breach Litig.*, No. 2:20-CV-00376-GMN-NJK, ECF 186, 188. Plaintiffs in this action have opposed this effort because the 2019 Actions involved a different threat actor and different data.

The parties in the Related Actions are discussing this development in addition to the consolidation of the Related Actions. As such, additional time is required to permit time to meet and confer with the various parties to the Related Actions.

The Parties’ request is made in good faith to enable the parties to finalize the joint

1 motion for consolidation and conserve judicial and party resources. Moreover, this case is
2 in its infancy, and this request will not prejudice any party.

3 **WHEREAS** the Parties respectfully request that MGM shall have until March 11,
4 2024, to answer, move, or otherwise respond to the Complaint.

5 Dated: January 8, 2024

Respectfully submitted,

6 /s/ Nathan R. Ring

7 Nathan R. Ring

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16 *Class*

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID LACKEY, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

Case No. 2:23-cv-1549-RFB-NJK

~~PROPOSED~~ ORDER GRANTING
STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT

Upon consideration of the foregoing stipulation to extend Defendant MGM Resorts International's time to file response to Plaintiff's Complaint in the above-captioned action, it is hereby **ORDERED** that the Stipulation is **GRANTED**, and the time for MGM Resorts International to answer, move, or otherwise respond to Plaintiff's Complaint is hereby extended to and including March 11, 2024.

IT IS SO ORDERED:



Nancy J. Koppe
United States Magistrate Judge

DATED: January 9, 2024
